11-03-05   AF
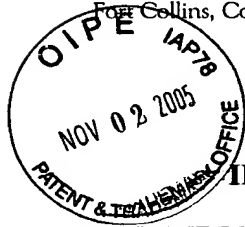   IPW

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Docket No.: 10004840-1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John C. Crandall

Application No.: 09/822,152   Confirmation No.: 6310

Filed: March 30, 2001   Art Unit: 2178

For: DOCUMENT INTELLIGENCE CENSOR   Examiner: K. R. Stork

SUPPLEMENTAL APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Appeal Brief is filed in response to the Office Action mailed August 3, 2005 and in furtherance of the Notice of Appeal filed in this case on April 21, 2005. Appellant respectfully requests that Appellant's appeal to the Board of Patent Appeals and Interferences be maintained in accordance with 37 C.F.R § 41.39 with the filing of this Supplemental Appeal Brief.

The fees required under 37 C.F.R § 41.20(b)(2), and any required petition for extension of time for filing this brief and fees therefore, were dealt with in the Transmittal of Appeal Brief filed June 21, 2005. Appellant believes no fee is due for filing a Supplemental Appeal Brief.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37 and M.P.E.P. § 1205.02:

I.	Real Party In Interest
II.	Related Appeals and Interferences
III.	Status of Claims

25587402.1   1

I.   REAL PARTY IN INTEREST

The real party in interest for this appeal is:

Hewlett-Packard Development Company, L.P., a Texas Limited Partnership having its principal place of business in Houston, Texas.

II.   RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

There are no other appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III.   STATUS OF CLAIMS

A.   Total Number of Claims in Application

There are 20 claims, numbered 1-20, pending in application.

B.   Current Status of Claims

1.   Claims canceled: None

2.   Claims withdrawn from consideration but not canceled: None

3.   Claims pending: 1-20

4.   Claims allowed: None

5.   Claims rejected: 1-20

C.   Claims On Appeal

The claims on appeal are claims 1-20.

IV. STATUS OF AMENDMENTS

Appellant filed an Amendment After Final Rejection on March 17, 2005 in response to a final Office Action, mailed January 27, 2005, rejecting of all of the claims. The March 17 filing amended claim 9. The Appellee responded with an Advisory Action, mailed April 5, 2005, in which the Appellee indicated that Appellant's proposed amendment would be entered. Accordingly, the claims enclosed herein as Appendix A incorporate the amendment to claim 9 as indicated in the Amendment After Final Rejection.

Appellant filed an Appeal Brief on June 21, 2005. The Appellee (Examiner) apparently desired to reopen prosecution, mailing a non-final Office Action ("current Office Action") on August 3, 2005, containing a new ground of rejection. However, the Appellee did not follow the procedure outlined in M.P.E.P. § 1207.04 for reopening prosecution with a new ground of rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

According to one embodiment, a computerized document censor comprises a censor database of restricted terms (100; page 6, paragraph 1, lines 2-5), a text comparator program for finding ones of said restricted terms in said document (101; page 6, paragraph 1, line 3), and a text highlighter program for highlighting said restricted terms found in said document (102; page 6, paragraph 1, lines 5-8). (100 appears in figures 1-3; 101 and 102 appear in figure 1.)

According to another embodiment, a method for censoring a document comprises the steps of storing, by a computer (20; page 7, paragraph 4, lines 2-3), a list of prohibited expressions (500; page 11, paragraph 2, lines 2-3; page 9, paragraph 2, lines 1-2), filtering said document using said computer to find ones of said prohibited expressions (501, figure 5; page 11, paragraph 2, lines 3-4); and visibly marking ones of said prohibited expressions found in said document (502; page 11, paragraph 2, lines 4-6). (20 appears in figure 2; 500, 501, 502 appear in figure 5.)

According to another embodiment, a computer program product having a computer readable medium having computer program logic recorded thereon for reviewing a document for restricted expressions comprises means for storing a list of said restricted expressions (20,

100, 500; page 11, paragraph 2, lines 2-3; page 8, paragraph 3, lines 2-4), means for searching said document to find ones of said restricted expressions (20, 101, 501; page 6, paragraph 1, line 3; page 11, paragraph 2, lines 3-4); and means for visibly marking ones of said restricted expressions found in said document (103, 502; page 11, paragraph 2, lines 4-5; page 6, paragraph 1, lines 6-8). (20 appears in figures 2-3; 100 appears in figures 1-3, 101, 103 appear in figure 1; 500, 501, 502 appear in figure 5.)

According to another embodiment, the computer program product further comprises means for storing a list of generalized expressions corresponding to said restricted expressions (20, 104, 503; page 11, paragraph 2, lines 6-7; page 4, paragraph 2, lines 5-7), and means for presenting a group of said generalized expressions corresponding to ones of said restricted expressions found in said document (30, 504; page 11, paragraph 2, lines 10-11; page 8, paragraph 4, lines 1-2). (20 appears in figures 2-3; 30 appears in figure 3; 104 appears in figures 1-3; 503, 504 appear in figure 5.)

According to another embodiment, the means for storing said list of said restricted expressions comprises at least one of: means for entering restricted words (20; page 10, paragraph 1, lines 1-2), means for entering restricted phrases (20; page 11, paragraph 3, lines 1-3), and means for entering rules of restricted communication relationships (Id.). (20 appears in figures 2-3.)

According to another embodiment, the means for storing said list of said generalized expressions comprises at least one of: means for entering generalized words (20; page 10, paragraph 1, lines 2-3), means for entering generalized phrases (20; page 11, paragraph 3, lines 1-3), and means for entering rules of generalized communication relationships (Id.). (20 appears in figures 2-3.)

According to another embodiment, the computer program product further comprises means for selecting a corresponding generalized expression from said presented group of said generalized expressions (30; page 8, paragraph 4, lines 1-2; page 11, paragraph 2, lines 10-12); and means for replacing said restricted expression found in said document with said selected corresponding generalized expression (30, 505; page 8, paragraph 4, lines 10-11; page 11, paragraph 2, lines 11-12). (30 appears in figure 3; 505 appears in figure 5.)

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1, 3-4, 9-12 and 16-19 properly stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,075,550 to Lapierre ("*Lapierre*"), in view of US Patent No. 6,684,240 to Goddard ("*Goddard*"), and further in view of US Patent No. 6,184,885 to DeStefano ("*DeStefano*").

Whether claims 2 and 5-8 properly stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lapierre* in view of *Goddard* and *DeStefano*, and further in view of US Patent No. 5,832,212 to Cragun et al. ("*Cragun*").

Whether claims 13 and 20 properly stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lapierre* in view of *Goddard* and *DeStefano*, and further in view of US Patent No. 5,757,417 to Aras et al. ("*Aras*").

Whether claims 14 and 15 properly stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lapierre* in view of *Goddard* and *DeStefano*, and further in view of US Patent No. 6,393,464 to *Dieterman*.

VII.   ARGUMENT

A.   General

Claims 1-20 are pending in the present application. Claims 1-20 stand rejected under 35 U.S.C. § 103. Claim 5 also stands rejected under 35 U.S.C. § 112. Appellant respectfully traverses the rejections of record.

B.   35 U.S.C. § 112 Rejection

Claim 5 was rejected under 35 U.S.C. § 112 in the Office Action issued in response to Appellant's Appeal Brief because the term "said generalization database" is asserted by the Appellee to lack antecedent basis. Appellant acknowledges the presence of a typographical error in claim 5. Claim 5 should read "document censor of claim 2," where claim 2 provides the necessary antecedent basis for terms in claim 5. However, Appellant notes that 37 C.F.R. § 41.39(b)(2) appears to prevent amendments to claims in a Supplemental Appeal Brief.

Therefore, Appellant proposes that, upon resolution of the issues on appeal with respect to the other claims, an Amendment be submitted to correct the typographical error in claim 5.

C.   35 U.S.C. § 103 Rejections

Claims 1, 3-4, 9-12 and 16-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lapierre* in view of *Goddard* and further in view of *DeStefano*. Claims 2 and 5-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lapierre* in view of *Goddard* and *DeStefano* and further in view of *Cragun*. Claims 13 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lapierre* in view of *Goddard* and *DeStefano* and further in view of *Aras*. Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lapierre* in view of *Goddard* and *DeStefano* and further in view of *Dieterman*.

To establish a *prima facie* case of obviousness, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art. *In re Vaeck*, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Additionally, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 U.S.P.Q 580 (CCPA 1974). However, if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 221 U.S.P.Q. 1125 (Fed. Cir. 1984). Appellant respectfully asserts that the proffered combination of references yields no expectation of success and would render the prior art invention unsatisfactory for its intended purpose. Further, Appellant respectfully asserts that the proffered combination does not teach all the claim limitations.

1.   The Independent Claims 1, 9 and 16

Claim 1 recites "a text highlighter program for highlighting said restricted terms found in said document" and claims 9 and 16 recite "visibly marking ones of said prohibited expressions found in said document." The current Office Action admits that *Lapierre* does not teach presenting restricted terms found in a document, and asserts *Goddard* discloses presenting restricted terms to a user. Appellant asserts that modifying *Lapierre* with

Goddard would not yield an expectation of success and further that it would render *Lapierre* unsatisfactory for its intended purpose.

Appellant notes that *Lapierre* is designed to operate on streaming data, i.e. the closed-caption data stream coming from a television tuner. *Lapierre*, column 1, lines 20-24 and 33-34. In contrast, *Goddard* is designed to operate on content which has a accompanying rating information that is available for the censorship decision. *Goddard*, column 1, lines 8-10. *Lapierre* makes no use of rating information, and none is available in the operation of the system taught by *Lapierre* (*Lapierre* expressly teaches away from the use of a rating system, see column 2, lines 14-21). In contrast, the system of *Goddard* could not operate without rating information accompanying the content to facilitate the censorship determination. The proffered combination of *Lapierre* and *Goddard* is fundamentally incompatible, and thus, there can be no expectation of success.

Further, *Lapierre* teaches word-by-word censorship, passing unobjectionable words and blocking only objectionable words. *Lapierre*, column 1, lines 34-38. In contrast, *Goddard*, teaches blocking an entire program based only on samples of the content. *Goddard*, column 1, lines 43-47. The purpose of *Lapierre* is to screen closed-captioning content so that it may be viewed safely. Blocking the entire closed-caption data stream, as would result from the proffered combination of *Lapierre* in view of *Goddard*, would prevent any viewing of the closed captioning, therefore preventing a safe viewing or any other viewing. Therefore, modifying *Lapierre* with *Goddard*, if even possible, would result in the preventing safe, censored viewing of the closed-captioning content, thus rendering *Lapierre* unsatisfactory for its intended purpose.

Appellee relies upon the disclosure of *DeStefano* to teach highlighting words in order to meet the above-identified limitations of claims 1, 9, and 16. However, as previously asserted by Appellant, the express purpose of the closed-caption censor of *Lapierre* is to "remov[e] objectionable language from the closed caption and audio portions of programming displayed on a television," column 1, line 67, through column 2, line 2, such as to "regulate the programming content seen by children," column 1, line 14. Yet the Appellee asserts that "[i]t would have been obvious to one of ordinary skill in the art at the time of the invention to have combined *Lapierre* and *Goddard's* method with *DeStefano's* method, since

it would have drawn attention to the potentially offensive material," see the Office Action at pages 3 and 4. Accordingly, rather than removing the objectionable language, as required for the principle of operation of *Lapierre*, the modification proposed by the Appellee would highlight the objectionable language "in order to draw attention to the potentially offensive material."

"It is improper to combine references where the references teach away from their combination," M.P.E.P. § 2145. Moreover, the proposed modification or combination of the prior art cannot render the prior art unsatisfactory for its intended purpose, M.P.E.P. § 2143.01. The 35 U.S.C. § 103 rejection of record based upon modification of *Lapierre* in view of *DeStefano* is in direct contravention to the law because *Lapierre* teaches away from the combination and because the proposed modification would render the system of *Lapierre* unsatisfactory for its intended purpose. Moreover, in the present situation it follows, *a fortiori*, that one of ordinary skill in the art would not have been led to draw the attention of a viewer, such as a child, to highlighted objectionable text in the closed captioning displayed by *Lapierre*.

Appellant asserts that a *prima facie* case of obviousness under 35 U.S.C. § 103 over *Lapierre*, *Goddard* and *DeStefano* has not been established with respect to claims 1, 9, and 16 and the claims dependent therefrom. Moreover, the rejections of record relying upon various combinations of *Lapierre*, *Goddard*, *DeStefano*, *Cragun*, *Aras* and *Dieterman* do not cure the above identified deficiency in the *prima facie* case of obviousness.

2.   The Dependent Claims

Dependent claims 2-8, 10-15 and 17-20 depend directly or indirectly from a respective one of claims 1, 9 and 16. The disclosures of *Cragun*, *Aras* and *Dieterman* have not been cited by the Appellee to meet, nor does Appellant believe that *Cragun*, *Aras* and *Dieterman* meet, the above deficiencies in the disclosures of *Lapierr* , *Goddard* and *DeStefano* identified above with respect to the independent claims. Accordingly, the dependent claims are asserted to be patentable over the 35 U.S.C. § 103 rejections of record at least for the reasons set forth above with respect to claims 1, 9 and 16. Moreover, these dependent claims set forth additional new and non-obvious limitations not present in the art of record.

a.   *Lapierre, Goddard, DeStefano* and *Cragun* Fail to Teach or
        Suggest Every Limitation of Claim 2

Claim 2 recites, in part, "a generalization database of non-restricted terms, wherein ones of said non-restricted terms correspond to ones of said restricted terms." The current Office Action admits that *Lapierre* does not teach having a document sensor comprising such a database, and does not allege that either *Goddard* or *DeStefano* does teach such a database. The current Office Action attempts to cure this deficiency by introducing *Cragun*.

The proposed combination, however, does not teach the limitations of claim 2. *Cragun* teaches that the list of replacement words should provide a "socially acceptable substitute" for an offensive word, not a generalized term. *Cragun*, column 5, lines 26-28 and column 6, lines 55-59. Accordingly, *Cragun* merely teaches replacing an offensive word with a substitute having the same meaning and conveying the same information, albeit in a socially acceptable form. However, the claim language above expressly recites generalized terms or expressions. *Cragun* does not teach or suggest that offensive words should be replaced with a generalized term, and the rejections of claim 2 should be withdrawn.

b.   *Lapierre, Goddard* and *DeStefano* Fail to Teach or Suggest
        Every Limitation of Claim 4

Claim 4 recites, in part, "wherein said text comparator program finds ones of said restricted terms via rules-based relationships." Appellant asserts that the combination of *Lapierre, Goddard* and *DeStefano* does not teach at least this aspect or limitation of claim 4. The Office Action points to column 3, line 42 to column 4, line 58 of *Lapierre*. However, *Lapierre* does not teach finding restricted terms via rules-based relationships. Rather, *Lapierre* teaches a simple, template-matching approach. The foregoing is not a rules-based relationship as set forth in the claim. Therefore, claim 4, is patentable over the rejection of record.

c.   *Lapierre, Goddard, DeStefano* and *Cragun* Fail to Teach or
        Suggest Every Limitation of Claim 6

Claim 6 recites that the "censor provides alternative ones of said non-restricted terms to a user for selectively replacing said restricted terms found in said document." In addressing these aspects of the claim, the Appellee points to column 4, lines 48-52 of

Lapierre, citing the replacement of offensive words with X's or other characters indicating deletion. *Goddard DeStefano* and *Cragun* are not relied upon for this aspect of claim 6.

Replacing offensive words with X's or other deletion-indication characters does not meet the claim limitation providing alternative non-restricted terms to a user for selective replacement. *Lapierre* teaches the use of only X's or another deletion indication characters in the alternative. Accordingly, the censor of *Lapierre* does not provide alternative non-restricted terms in any embodiment thereof. Moreover, Appellant asserts that the disclosed X's or other unnamed deletion indication characters cannot fairly be read to be non-restricted terms. Moreover, Appellee has not shown where *Lapierre* teaches or suggests presenting non-restricted terms to a user for <u>selectively</u> replacing restricted terms. Therefore, the rejection of claim 6 should be withdrawn.

> d.   *Lapierre*, *Goddard* and *DeStefano* Fail to Teach or Suggest Every Limitation of Claim 10

Claim 10 recites, in part, "storing a list of alternate expressions corresponding to said prohibited expressions; and presenting a group of said alternative expressions." Appellant asserts that the combination of *Lapierre*, *Goddard* and *DeStefano* does not teach at least this aspects of claim 10.

Nothing in the combination of *Lapierre*, *Goddard* and *DeStefano* teaches or suggests presenting a group of alternative expressions for restricted terms or presenting a group of generalized expressions corresponding to ones of restricted expressions. *Lapierre* teaches deletion, *Goddard* teaches blocking entire programs, and *DeStefano* does not teach censorship. Automatically replacing a word with a series of X's as taught by *Lapierre*, whether stored in a queue or otherwise, does not constitute presenting a group of alternative expressions as required by the claim. *Lapierre*, column 4, line 36-39. None of the proffered references teaches providing any group or alternatives for censored words.

Therefore, claim 10 contains features and limitations not taught or suggested by the combination of references, and thus, the rejection of claim 10 should be withdrawn.

e.   *Lapierre, Goddard, DeStefano* and *Aras* fail to teach or suggest every limitation of Claim 13

Claim 13 recites, in part, "selecting a corresponding alternate expression from said presented group of said alternate expressions." In addressing these aspects of the claim, the Appellee concedes that the combination of *Lapierre, Goddard* and *DeStefano* does not meet the claims. Accordingly, the current Office Action introduces *Aras*.

However, the portion of *Aras* relied upon by Appellee in rejecting the claim does not teach selecting alternate expressions from a present group. Instead, *Aras* teaches several alternatives which may be implemented to modify the objectionable material, including obscuring portions of the screen, freezing the last acceptable frame, blanking the screen, or substituting an acceptable image. Accordingly, the rejection of record is wholly insufficient to support a rejection under 35 U.S.C. § 103.

Moreover, *Aras* teaches only responding to a limited set of screening classification codes (SCCs) or categories in a channel classification table (CCT) that describe content in general. *Aras*, column 3, lines 5-15 and 26-29. All user choices in *Aras* are finalized before any censorship filtering begins. *Aras*, column 13, lines 1-5. To make a selection of alternatives meaningful for specific censored content, however, the user would need to be shown the censored content to select the replacement. As with *Lapierre* and *Cragun*, the purpose of *Aras* is to shield viewers from offensive content. *Aras*, column 3, lines 30-35. Because *Aras* does not teach displaying the censored content, selecting from a group or alternatives has no purpose in the context of *Aras*. Otherwise, selecting from a group or alternatives in a meaningful way would render *Aras* unsatisfactory for its intended purposes.

Further, the language of the recited motivation is circular in nature, stating that it is obvious to make the modification (present multiple choices of terms for selection by a user) because it is obvious to achieve the result (allow selective replacement of terms by the user). Such language is merely a statement that the reference can be modified, and does not state any desirability for making the modification. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Thus, the motivation provided by the Appellee is improper, as the

motivation must establish the desirability for making the modification. Therefore, the rejection of claim 13 should be withdrawn.

f.   *Lapierre, Goddard, DeStefano* and *Dieterman* Fail to Teach or
        Suggest Every Limitation of Claim 15

Claim 15 recites, in part, "said storing said list of alternate expressions is restricted to at least one predetermined administrator." As shown above for claim 10, the combination of *Lapierre*, *Goddard* and *DeStefano* does not teach or suggest the use of alternate replacement expressions. Moreover, *Dieterman* does not show storing a list of alternate expressions being restricted to an administrator, nor has the Appellee asserted otherwise. Therefore, the combination of references does not teach or suggest all claim limitations, and the rejection of claim 15 should be withdrawn.

g.   *Lapierre, Goddard* and *DeStefano* Fail to Teach or Suggest
        Every Limitation of Claim 17

Claim 17 recites, in part, "means for presenting a group of said generalized expressions corresponding to ones of said restricted expressions found in said document." Appellant asserts that the combination of *Lapierre*, *Goddard* and *DeStefano* does not teach at least this aspect of claim 17.

Nothing in the combination of *Lapierre, Goddard* and *DeStefano* teaches or suggests presenting a group of generalized expressions corresponding to ones of restricted expressions. *Lapierre* teaches deletion, *Goddard* teaches blocking entire programs, and *DeStefano* does not teach censorship. Automatically replacing a word with a series of X's, as relied upon by the Appellee in rejecting the above-identified limitation, does not constitute presenting a group of generalized expressions as required by the claim. *Lapierre*, column 4, line 36-39. Moreover, replacing all offensive words, irrespective of meaning, with the same X's or other deletion-indication characters, as taught by *Lapierre*, cannot be read to meet the recited "expressions corresponding to ones of restricted expressions." In addition to the foregoing differences, the applied references do not teach generalized expressions corresponding to restricted expressions, as set forth in the claim, nor has the Appellee asserted otherwise.

Therefore, claim 17 contains features and limitations not taught or suggested by the combination of references, and thus, the rejection of claim 17 should be withdrawn.

> h.   *Lapierre, Goddard, DeStefano* and *Aras* fail to teach or suggest every limitation of Claim 13

Claim 20 recites, in part, "means selecting a corresponding generalized expression from said presented group of said generalized expressions." In addressing these aspects of the claim, the Appellee concedes that the combination of *Lapierre, Goddard* and *DeStefano* does not meet the claims. Accordingly, the current Office Action introduces *Aras*.

However, the portion of *Aras* relied upon by Appellee in rejecting the claim does not teach selecting alternate expressions from a present group. Instead, *Aras* teaches several alternatives which may be implemented to modify the objectionable material, including obscuring portions of the screen, freezing the last acceptable frame, blanking the screen, or substituting an acceptable image. Accordingly, the rejection of record is wholly insufficient to support a rejection under 35 U.S.C. § 103.

Moreover, *Aras* teaches only responding to a limited set of screening classification codes (SCCs) or categories in a channel classification table (CCT) that describe content in general. *Aras*, column 3, lines 5-15 and 26-29. All user choices in *Aras* are finalized before any censorship filtering begins. *Aras*, column 13, lines 1-5. To make a selection of alternatives meaningful for specific censored content, however, the user would need to be shown the censored content to select the replacement. As with *Lapierre* and *Cragun*, the purpose of *Aras* is to shield viewers from offensive content. *Aras*, column 3, lines 30-35. Because *Aras* does not teach displaying the censored content, selecting from a group or alternatives has no purpose in the context of *Aras*. Otherwise, selecting from a group or alternatives in a meaningful way would render *Aras* unsatisfactory for its intended purposes.

Further, the language of the recited motivation is circular in nature, stating that it is obvious to make the modification (present multiple choices of terms for selection by a user) because it is obvious to achieve the result (allow selective replacement of terms by the user). Such language is merely a statement that the reference can be modified, and does not state any desirability for making the modification. The mere fact that references <u>can</u> be combined

or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Thus, the motivation provided by the Appellee is improper, as the motivation must establish the desirability for making the modification. Therefore, the rejection of claim 20 should be withdrawn.

VIII.   CLAIMS

A copy of the claims involved in the present appeal is attached hereto as Appendix A. As indicated above, the claims in Appendix A reflect the Amendment After Final Rejection filed on March 17, 2005.

IX.   EVIDENCE

See Appendix B regarding evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the Appellee.

X.   RELATED PROCEEDINGS
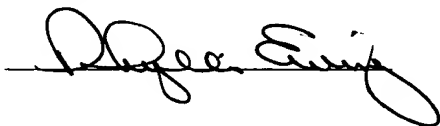
See Appendix C regarding related proceedings.

Appellant believes that no fee is due with this response. However, if there is any amount due, please charge Deposit Account No. 08-2025, under Order No. 10004840-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail Airbill No. EV482724928US, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.
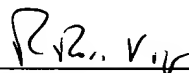
Date of Deposit: 11/02/2005

Typed Name: Phyllis Ewing

Signature: _____

Respectfully submitted,

By_____
R. Ross Viguet
Attorney/Agent for Applicant(s)
Reg. No.: 42,203
Date: 11/02/2005
Telephone No. (214) 855-8185

APPENDIX A

Claims Involved in the Appeal of Application Serial No. 09/822,152

1.   (Original) A computerized document censor comprising:

a censor database of restricted terms;

a text comparator program for finding ones of said restricted terms in said document; and

a text highlighter program for highlighting said restricted terms found in said document.

2.   (Original) The document censor of claim 1 further comprising:

a generalization database of non-restricted terms, wherein ones of said non-restricted terms correspond to ones of said restricted terms.

3.   (Original) The document censor of claim 1 wherein said restricted terms comprise at least one of:

single words;

phrases; and

numbers.

4.   (Original) The document censor of claim 1 wherein said text comparator program finds ones of said restricted terms via rules-based relationships.

5.   (Original) The document censor of claim 1 wherein said non-restricted terms are gathered into said generalization database by a user.

6.   (Original) The document censor of claim 2 wherein said censor provides alternative ones of said non-restricted terms to a user for selectively replacing said restricted terms found in said document.

7.   (Original) The document censor of claim 2 further comprising:

a text editor for replacing said restricted terms found in said documents with selected ones of said non-restricted terms.

8.   (Original) The document censor of claim 2 wherein said censor database and said generalization database are accessible by remote users.

9.   (Previously Presented) A method for censoring a document comprising the steps of:

storing, by a computer, a list of prohibited expressions;

filtering said document using said computer to find ones of said prohibited expressions; and

visibly marking ones of said prohibited expressions found in said document.

10.   (Original) The method of claim 9 further comprising the steps of:

storing a list of alternate expressions corresponding to said prohibited expressions;

and presenting a group of said alternative expressions corresponding to ones of said prohibited expressions found in said document.

11.   (Original) The method of claim 9 wherein said storing said list of said prohibited expressions step comprises at least one of the steps of:

entering prohibited words;

entering prohibited phrases; and

entering rules of prohibited communication relationships.

12.   (Original) The method of claim 10 wherein said storing said list of said alternate expressions step comprises at least one of the steps of:

entering alternate words;

entering alternate phrases; and

entering rules of alternate communication relationships.

13.   (Original) The method of claim 10 further comprising the steps of:

selecting a corresponding alternate expression from said presented group of said alternate expressions; and

replacing said prohibited expression found in said document with said selected corresponding alternate expression.

14.   (Original) The method of claim 9 wherein said storing said list of prohibited expressions is restricted to at least one predetermined administrator.

15.   (Original) The method of claim 10 wherein said storing said list of alternate expressions is restricted to at least one predetermined administrator.

16.   (Original) A computer program product having a computer readable medium having computer program logic recorded thereon for reviewing a document for restricted expressions comprising:

means for storing a list of said restricted expressions;

means for searching said document to find ones of said restricted expressions; and

means for visibly marking ones of said restricted expressions found in said document.

17.   (Original) The computer program product of claim 16 further comprising:

means for storing a list of generalized expressions corresponding to said restricted expressions; and

means for presenting a group of said generalized expressions corresponding to ones of said restricted expressions found in said document.

18.   (Original) The computer program product of claim 16 wherein said means for storing said list of said restricted expressions comprises at least one of:

means for entering restricted words;

means for entering restricted phrases; and

means for entering rules of restricted communication relationships.

19.   (Original) The computer program product of claim 17 wherein said means for storing said list of said generalized expressions comprises at least one of:

means for entering generalized words;

means for entering generalized phrases; and

means for entering rules of generalized communication relationships.

20.   (Original) The computer program product of claim 17 further comprising:

means for selecting a corresponding generalized expression from said presented group of said generalized expressions; and

means for replacing said restricted expression found in said document with said selected corresponding generalized expression.

APPENDIX B

Evidence:
None

APPENDIX C

Related Proceedings:
None